

REMARKS

1. The Examiner has rejected Claims 8 - 9 and 11 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 8 has been amended to now depend from Claim 1. Similarly, Claim 11 has been amended to now depend from Claim 1. No new matter is added. Applicant respectfully submits that this basis for rejection should be withdrawn.

2. The Examiner has rejected Claims 1 - 3, 6, 11 - 14, 16, 19 - 20 under 35 U.S.C. 102(b) as being anticipated by Matsunaga (JP#04-184464) .

Applicant respectfully submits that the present rejection is moot in view of the amendments to Claims 1, 13 and 20. No new matter is added as the supporting structure is disclosed in U.S. Patent No. 5,757,578 to Shimoyama et al., the specification and claims of which were incorporated by reference in the present application. Matsunaga does not teach a cartridge holding assembly including a guide assembly having a series of cooperating spring-loaded levers and motor-driven cams for guiding the consumable-containing cartridge to a loaded position when the consumable-containing cartridge is inserted thereby moving the cartridge holding assembly. Applicant respectfully submits that the rejection of Claims 1 - 3, 6, 11 - 14, 16, 19 - 20 under 35 U.S.C. 102(b) be withdrawn and the referenced claims be allowed.

3. The Examiner has rejected Claims 4 - 5 and 15 under 35 U.S.C. 103(a) as being unpatentable over Matsunaga (JP# 04-184464) in view of Tani et al.

Applicant respectfully submits that the present rejection is moot in view of the amendments to Claims 1 and 13. Inasmuch as Matsunaga fails as a primary reference as discussed above, Applicant submits that the rejection of Claims 4 - 5, which depend from Claim 1, and Claim 15, which depends from Claim 13, should be withdrawn and the referenced claims allowed.

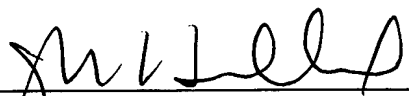
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4. The Examiner has rejected Claims 1, 6, 8 - 9, 13, 16 - 18 under 35 U.S.C. 103(a) as being unpatentable over Kitajima et al. in view of Kasamura et al.

Applicant respectfully submits that the present rejection is moot in view of the amendments to Claims 1, 6, 8 - 9, 13, 16 - 18. Inasmuch as Matsunaga fails as a primary reference as discussed above, Applicant submits that the rejection of Claims 1, 6, 8 - 9, which depend from Claim 1, and Claims 13, 16 - 18, which depend from Claim 13, should be withdrawn and the referenced claims allowed.

5. Applicant believes the application is in condition for allowance and respectfully requests the same. If the Examiner is of a differing opinion he/she is hereby requested to conduct a telephonic interview with the undersigned attorney.

Respectfully submitted July 22, 2003.



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